

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1–9 and 10–19 are in the present application. It is submitted that these claims are patentably distinct over the prior art cited by the Examiner, and that these claims are in full compliance with the requirements of 35 U.S.C. § 112. The new claims, as presented herein, are not submitted for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these claims are submitted simply for clarification and to round out the scope of protection to which Applicant is entitled. Claims 10 has been canceled. Claims 11–19 have been added.

The drawings were objected to because Figure 1 did not clearly indicate how detector 3 is enabled when detector 5 is locked. In response, Applicant respectfully submits the attached replacement drawing sheet 1/5, containing Figure 1, which connects signal S7 (output by Lock Detector 5) to the Precise Phase Error Detector 3 as shown. This drawing change is supported by the disclosure on page 10, lines 24-26 of the Specification. This connection was intentionally not included in the original drawings because the Precise Phase Error Detector 3 may be indirectly enabled by Lock Detector 5; e.g. through a controller (not shown). Accordingly, Applicant believes this objection has been overcome.

The Specification was objected to because various subsections were not labeled. Although such labeling is only suggested by the rules and is not required, Applicants have inserted subsection titles in the appropriate locations in the specification. Accordingly, Applicant believes this objection has been overcome.

Claims 1–10 were rejected under 35 U.S.C. § 112, first paragraph, for containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention.

The Examiner has rejected claim 1 because it is not clear how detector 3 is enabled when detector 5 is locked. (Office Action page 2) This limitation only appeared in canceled claim 10, and not in claim 1; and therefore this rejection is moot. Regardless, as disclosed on page 10, lines 24-26 of the specification, the precise phase error detector 3 receives a signal from the locked detector 5; as do robust phase error detector 2 and frequency sensitive phase error detector 4. Furthermore, Applicant believes the precise manner of enabling detector 3 is immaterial to the distinguishing aspects of the invention since the enabling signal can be signal S7 or another signal indirectly derived from signal S7. Accordingly, the disclosure of this feature is intended to allow for a broader scope of coverage than a simple direct connection.

The Examiner also believes it is not clear whether S5, S6, S8, and S9 represent signals or errors. (Office Action page 3) However, each of the signals S5, S6, S8, and S9 are clearly identified as being signals which correspond to the phase error (i.e. the frequency offset/difference) between an input carrier signal and the system frequency. More specifically, signals S5 and S6 are robust phase error signals (including the valid phase error signal) as

defined on page 10, lines 1-12. Signal S8 is the frequency sensitive phase error signal as defined on page 10, line 17. Signal S9 is the precise phase error signal as defined on page 10, line 26.

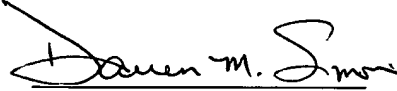
For at least these reasons, Applicant believes the specification clearly enables the claims and this rejection should be withdrawn.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: 
Darren M. Simon
Reg. No. 47,946
(212) 588-0800